

Appl. No. 09/773,241  
Docket No. 8409  
Amdt. dated October 5, 2006  
Reply to Office Action mailed on June 28, 2006  
Customer No. 27752

### AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application:

1. (Currently Amended) A disposable article configured to be worn over and about the lower torso of a wearer, the article comprising:
  - a) a containment assembly having a first longitudinal edge and a second longitudinal edge opposed thereto, a first end edge and a second end edge opposed thereto, the first and the second longitudinal edges being configured to contact the legs of the wearer, and the first and the second end edges being structured and configured to contact the waist of the wearer; and
  - b) at least one elastomeric side panel carried by the containment assembly and extending outwardly from the first longitudinal edge of the containment assembly adjacent the first end edge of the containment assembly, the at least one elastomeric side panel including an inner region having at least one discontinuity for dividing a tensile force applied to the at least one elastomeric side panel into a waist-directing force and a leg-directing force wherein the at least one discontinuity is surrounded by the inner region of the at least one elastomeric side panel, wherein the at least one discontinuity is defined by at least one cut line, wherein the at least one cut line is disposed substantially parallel with a first lateral edge of the at least one elastomeric side panel, wherein the at least one elastomeric side panel further includes a waist region and a leg region separated by the at least one discontinuity, wherein the waist region is configured to transmit a waist-directing force, and the leg region is configured to transmit a leg-directing force, and wherein the waist region has an extensibility varying from about 5 g/mm to about 50

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g/mm and the leg region has an extensibility varying from about 1 g/mm to about 30 g/mm;

wherein the disposable article further comprises a second cut line and a third cut line;

wherein the second cut line extends substantially parallel to a lateral centerline of the at least one elastomeric side panel, and the third cut line extends substantially parallel to a second lateral edge of the at least one elastomeric side panel.

2. (Cancelled).
3. (Cancelled).
4. (Cancelled).
5. (Previously Presented). The disposable article in accordance with Claim 1 wherein the waist region has a greater width than the leg region.
6. (Cancelled).
7. (Previously Presented). The disposable article in accordance with Claim 1 wherein the at least one cut line is rectilinear.
8. (Cancelled).
9. (Cancelled).
10. (Cancelled).
11. (Cancelled).

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12. (Cancelled).
13. (Cancelled).
14. (Previously Presented) The disposable article in accordance with Claim 1 wherein the at least one cut line is curvilinear.
15. (Cancelled).
16. (Previously Presented) The disposable article in accordance with Claim 1 wherein the waist-directing force in the waist region of the at least one elastomeric side panel extends at an angle ranging from about 0° to about 45° relative to a lateral centerline of the disposable article, and wherein the leg-directing force in the leg region of the at least one elastomeric side panel extends at an angle ranging from about 10° to about 35° relative to the lateral centerline of the disposable article.
17. (Previously Presented) The disposable article in accordance with Claim 1 wherein the waist-directing force in the waist region of the at least one elastomeric side panel extends at an angle ranging from about 10° to about 15° relative to a lateral centerline of the disposable article, and wherein the leg-directing force in the leg region of the at least one elastomeric side panel extends at an angle ranging from about 20° to about 30° relative to the lateral centerline of the disposable article.
18. (Previously Presented) The disposable article in accordance with Claim 1 wherein the at least one elastomeric side panel has an extensibility ranging from about 1 g/mm to about 50 g/mm.

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19. (Previously Presented) The disposable article in accordance with Claim 1 wherein the at least one elastomeric side panel is elastic and has an elasticity of at least about 5 %.
20. (Cancelled).